

## SAFEGUARDING: CHILD PROTECTION POLICY AND PROCEDURE

### Terminology

**Safeguarding** and promoting the welfare of children refers to the process of protecting children from maltreatment, preventing the impairment of health or development, ensuring that children grow up in circumstances consistent with the provision of safe and effective care and taking action to enable all children to have the best outcomes.

**Child protection** refers to the processes undertaken to protect children who have been identified as suffering, or being at risk of suffering significant harm.

**Staff** refers to all those working for or on behalf of the kindergarten, full time or part time, temporary or permanent, in either a paid or voluntary capacity.

**Child** includes everyone under the age of 18.

**Parent** refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents.

### Significant Information

**SPA:** 020 8547 5008

**LADO:** 020 8891 7370

07774332675

[lado@achievingforchildren.org.uk](mailto:lado@achievingforchildren.org.uk)

## Statement of Aims and Objectives

The Children's Garden strives to create an environment where learning, truth, justice, respect, spirituality and community are promoted. The aim of this policy is to safeguard and promote the welfare of the children in our care, regardless of age, gender, culture, language, race, ability, sexual identity or religion. In situations where child abuse is suspected, our paramount responsibility is to the child.

We recognise that everyone who comes into contact with the children in our kindergarten in their everyday work has a duty to safeguard and protect them and should demonstrate commitment and priorities for safeguarding and promoting the welfare of children, including staff, trustees, parents and volunteers.

This policy is guided by the following four principles as outlined in 'Working Together to Safeguard Children' (DfE 2018):

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care;
- taking action to enable all children to have the best outcomes.

This Safeguarding and Child Protection Policy is one of a range of documents, which set out the safeguarding responsibilities of our kindergarten. We wish to create a safe, welcoming and vigilant environment for children where they feel valued and are respected.

We recognise that the kindergarten may provide the only stability in the lives of children who have been abused or who are at risk of harm.

We are aware that the behaviour of a child in these circumstances may range from that which is perceived to be normal to aggressive or withdrawn.

We are able to play a significant part in the prevention of harm to our children by providing them with good lines of communication with trusted adults, supportive friends and an ethos of protection.

Our school is committed to providing an environment in which children feel safe, secure, valued and respected and which promotes their social, physical and moral development.

This policy is used in conjunction with staff training and continued professional development to:

- raise staff awareness of the need to safeguard children and their responsibilities in identifying and reporting possible cases of abuse
- provide a systematic means of monitoring children known or thought to be at risk of harm, and ensure we, the kindergarten, contribute to assessments of need and support packages for those children
- emphasise the need for good levels of communication between all members of staff and develop and promote effective working relationships with other agencies, especially Achieving for Children (AfC) and the police

- develop a structured procedure within the kindergarten which will be followed by all members of the kindergarten community in cases of suspected abuse; ensure that the structured procedure is followed by kindergarten staff in cases of suspected abuse

If we are worried about the safety or welfare concern of a child in our kindergarten we have a legal duty and responsibility to act on our concerns. We will discuss our concerns with parents and carers, in the first instance, and if necessary, make a referral to Achieving for Children's Single Point of Access (SPA) or the Local Authority where the child lives. If, at any point, there is a risk of immediate serious harm to a child, a referral will be made to children's social care immediately.

### **Designated Safeguarding Leads:**

Designated Safeguarding Lead teacher is Régine Charrière

The trustee responsible for Safeguarding is Ruth Hardy.

A full description of their roles and responsibilities is found in Appendix 4.

This policy has regard for the following laws, policies and guidance:

- [Children Act 1989 Care Planning, Placement and Case Review](#)
- [Children Act 2004](#)
- [Education Act 2002](#)
- [London Child Protection Procedures and Practice Guidance](#)
- [Keeping Children Safe in Education 2018](#)
- [Working Together to Safeguard Children 2018](#)
- [What to do if You're Worried a Child is Being Abused](#)
- [Information Sharing](#)

This policy is supported by the following appendices:

1. Concern reporting form/Disclosure form
2. Body map
3. Safeguarding processes flowchart - Richmond
4. Roles and responsibilities of designated person
5. Working with parents
6. Working with diversity, including abuse of disabled children
7. Allegations of abuse against staff
8. Child Abuse – An overview

## **Our kindergarten supports this child protection policy by:**

- Working through the curriculum, and within the overall ethos of Steiner/ Waldorf education to equip children, in an age-appropriate way, with the skills they need to stay safe from abuse.
- Working through the curriculum, in an age-appropriate way, to help children develop realistic attitudes to the responsibilities of adult life, particularly with regard to childcare and parenting skills.
- Encouraging a culture of listening to children and taking account of their wishes and feelings.
- Continuing to develop awareness in all staff of the need of child protection (particular care will be taken with children with disabilities and SEN), and everyone's responsibilities in identifying abuse. This will be done through:
  - Induction of new staff
  - In-house child protection training (via staff meetings or Inset days)
  - Individual training for all staff (online via Educare)
  - Appropriate external training for Designated Safeguarding Lead persons
  - Ensuring all staff are aware of referral procedures within the kindergarten;
  - Ensuring all staff sign to say they have read, understood and agree to work within name of school's safeguarding and child protection policy, staff behaviour policy (code of conduct) and Keeping Children Safe in Education 2018 Part 1 and Annex A and ensure that the policies are used appropriately;
  - Ensuring safe recruiting policies and procedures are used in the appointment of all staff, trustees and volunteers;
  - Monitoring children who have been identified as 'at risk';
  - Ensuring outside agencies are involved where appropriate.

Awareness of need mainly comes from teachers' own observations and from discussions with colleagues. At such meetings, staff must make the designated member of staff aware, not only of their concerns about deliberate harm or neglect, but also to take into account the broader aspects of care and education, including:

- Poor attendance and punctuality – this may also be a sign of neglect, safeguarding concerns, travel to a conflict zone, or FGM and forced marriage
- Concerns about appearance and dress
- Changed or unusual behaviour
- Concerns about health and emotional wellbeing, this includes providing first aid, intimate care, and meeting the needs of children and learners with medical conditions
- Deterioration in educational progress
- Discussions with parents about concerns relating to their child
- Concerns about home conditions or situations
- Concerns about pupil (peer on peer) abuse (including serious bullying).

Early assessment and intervention are important because situations where abuse is or may be developing can, at times, be resolved by preventative services outside the child protection procedures. A range of early intervention and preventative initiatives are in use in our kindergarten.

## **Bullying**

We recognise that bullying can result in impacting on a child's functioning and self-esteem. (See Safeguarding: Anti-Bullying Policy)

## **Female Genital Mutilation (FGM)**

Female genital mutilation (FGM) is a form of child abuse. It is the collective name given to a range of procedures involving the partial or total removal of the external female genitalia for non-medical reasons or other injury to the female genital organs. It has no health benefits and harms girls and women in many ways. The practice, which is most commonly carried out without anaesthetic, can cause intense pain and distress and long-term health consequences, including difficulties in childbirth.

FGM is carried out on girls of any age, from young babies to older teenagers and adult women, so school staff are trained to be aware of risk indicators.

These risk indicators may include:

- pupil talking about getting ready for a special ceremony
- family taking a long trip abroad
- pupil's family being from one of the 'at risk' communities for FGM (Kenya, Somalia, Sudan, Sierra Leon, Gambia, Egypt, Nigeria, Eritrea as well as non-African communities including Yemeni, Afghani, Kurdistan, Indonesia and Pakistan)
- knowledge that the pupil's sibling has undergone FGM
- pupil talks about going abroad to be 'cut' or to prepare for marriage

Many such procedures are carried out abroad and staff will be particularly alert to suspicions or concerns expressed by female pupils about going on a long holiday during the summer holiday period. Staff are aware that it is also possible for these procedures to be undertaken in the UK.

In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003. Any person found guilty of an offence under the Female Genital Mutilation Act 2003 is liable to a maximum penalty of 14 years imprisonment or a fine, or both.

(See [Female Genital Mutilation Statutory Guidance](#) for further information).

If staff have a concern that a girl may be at risk of FGM, they will record their concern and inform the DSL as they would any other safeguarding concern.

Signs that may indicate a pupil has undergone FGM:

- prolonged absence from school and other activities
- behaviour change on return from a holiday abroad, such as being withdrawn and appearing subdued
- bladder or menstrual problems
- finding it difficult to sit still and looking uncomfortable
- complaining about pain between the legs
- mentioning something somebody did to them that they are not allowed to talk about
- secretive behaviour, including isolating themselves from the group

- reluctance to take part in physical activity
- repeated urinal tract infection
- disclosure

Teachers are subject to a statutory duty defined by Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) to report to the police personally where they discover (e.g. by means of a disclosure) that an act of FGM appears to have been carried out on a girl who is aged under 18. This is known as mandatory reporting.

The mandatory reporting duty applies to all persons at The Children's Garden. The duty applies to the individual who becomes aware of the case to make a report to the police.

Teachers in this situation will record their concerns on the 'concern reporting form' and inform the DSL, who will support the teacher in making a direct report to the police.

There are no circumstances in which a teacher or other member of staff will examine a girl.

For further information see: <https://www.gov.uk/government/publications/female-genital-mutilation-guidelines>

## Child Sexual Exploitation (CSE)

The Children's Garden follows the London Child Protection Procedures for safeguarding children from sexual exploitation. [Safeguarding Children from Sexual Exploitation](#)

In February 2017, the government updated the working definition of child sexual exploitation [Child sexual exploitation definition and guide](#)

"Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator.

The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology."

Child sexual exploitation is a form of child sexual abuse affecting boys and girls. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet).

Child sexual exploitation may occur without the child being aware of events, or understanding that these constitute abuse.

Child sexual exploitation is never the victim's fault, even if there is some form of exchange: all children and young people under the age of 18 have a right to be safe and should be protected from harm.

Child sexual exploitation:

- can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex
- can still be abuse even if the sexual activity appears consensual
- can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity

- can take place in person or via technology, or a combination of both
- can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence
- may occur without the child's or young person's immediate knowledge (through others copying videos or images they have created and posting on social media, for example)
- can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse
- is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources

### Consent

Even where a young person is old enough to legally consent to sexual activity, the law states that consent is only valid where they make a choice and have the freedom and capacity to make that choice. If a child feels they have no other meaningful choice, are under the influence of harmful substances or fearful of what might happen if they don't comply (all of which are common features in cases of child sexual exploitation) consent cannot legally be given whatever the age of the child.

### Key factor in child sexual exploitation

Child sexual exploitation involves some form of exchange (sexual activity in return for something) between the victim and/or perpetrator or facilitator. Where there is no such exchange, for example, where the gain for the perpetrator is sexual gratification (or the exercise of power or control), this is described as sexual abuse (and not exploitation).

The exchange can include both tangible (such as money, drugs or alcohol) and intangible rewards (such as status, protection or perceived receipt of love or affection). The receipt of something by a child/young person does not make them any less of a victim.

It is also important to note that the prevention of something negative can also fulfil the definition of exchange, for example a child who engages in sexual activity to stop someone carrying out a threat to harm his/her family.

### Links to other kinds of crime

- Child trafficking
- Domestic abuse
- Sexual violence in intimate relationships
- Grooming (including online grooming)
- Abusive images of children and their distribution
- Drugs-related offences
- Gang-related activity
- Immigration-related offences
- Domestic servitude

## Potential vulnerabilities

Although the following vulnerabilities increase the risk of child sexual exploitation, it must be remembered that not all children with these indicators will be exploited. Child sexual exploitation can occur without any of these issues.

- Having a prior experience of neglect, physical and/or sexual abuse
- Lack of a safe or stable home environment, now or in the past (domestic violence or parental substance misuse, mental health issues or criminality, for example)
- Recent bereavement or loss
- Social isolation or social difficulties
- Absence of a safe environment to explore sexuality
- Economic vulnerability
- Homelessness or insecure accommodation status
- Connections with other children and young people who are being sexually exploited
- Family members or other connections involved in adult sex work
- Having a physical or learning disability
- Being in care (particularly those in residential care and those with interrupted care histories).
- Sexual identity

## Possible indicators of child sexual exploitation

- Acquisition of money, clothes, mobile phones, etc, without plausible explanation.
- Gang association and/or isolation from peers and social networks.
- Exclusion or unexplained absences from school, college or work.
- Leaving home or care without explanation and persistently going missing or returning late.
- Excessive receipt of texts or phone calls.
- Returning home under the influence of drugs or alcohol.
- Inappropriate sexualised behaviour for age or sexually transmitted infections.
- Evidence of or suspicions of physical or sexual assault.
- Relationships with controlling or significantly older individuals or groups.
- Multiple callers (unknown adults or peers).
- Frequenting areas known for sex work.
- Concerning use of internet or other social media.
- Increasing secretiveness around behaviours.
- Self-harm or significant changes in emotional wellbeing.

## Online exploitation

All young people are at risk from online exploitation, and can be unaware that this is happening. Online exploitation includes the exchange of sexual communication or images and can be particularly challenging

to identify and respond to. Children, young people and perpetrators are frequently more familiar with, and spend more time in, these environments than their parents and carers.

Online child sexual exploitation allows perpetrators to initiate contact with multiple potential victims and offers a perception of anonymity. Where exploitation does occur online, the transfer of images can be quickly and easily shared with others, which makes it difficult to contain the potential for further abuse.

#### Children may be perpetrators of abuse

It must be recognised that children may also be perpetrators of abuse, sometimes at the same time as being abused themselves.

## Human Values and Indoctrination

As part of broader requirements relating to the quality of education and to promoting the spiritual moral, social and cultural development of pupils, there is an explicit requirement for all schools in the UK to promote what are referred to in the legislation as 'British Values'.

These are defined as:

- Democracy
- The rule of law
- Individual liberty
- Mutual respect for and tolerance of those with different faiths and beliefs and for those without faith.

Although the kindergarten whole-heartedly endorses and promotes these values, we do not see them as exclusively British and to refer to them as such would not be a true reflection of the ethos of our kindergarten. It is also possible to cause offence in a multi-cultural community such as ours.

Regardless of the statutory duty to do so, we have always promoted, through our curriculum and policies, what we see as fundamental human rights. These include:

- The right of the members of any society to decide how and by whom it is governed
- Respect for the fact that the laws of the country in which we live have been instated by the consent of our elected representatives, and therefore represent the collective will of the people and apply equally to all.
- The right of every individual to think and believe whatever he/she likes, and to act on those thoughts and beliefs within the law of the land as long as they do not harm anyone else or inhibit anyone else's freedom to do so.

We believe that these three more than encompass the spirit of what is meant by 'British Values' in the legislation. As well as ensuring that our own staff respect these human values, we ensure that any visiting speaker or teachers - whether invited by staff or by students - are aware of and respect them. Visitors are always appropriately supervised.

## Radicalisation and Extremism

Our kindergarten has a duty, known as the Prevent Duty, to protect children from risk of radicalisation. Staff should be alert to changes in children's behaviour, which could indicate that they may be in need of help or protection. While young children are more vulnerable to the direct influence of the people around

them, older students who have access to the internet are at a far greater risk of exposure to exploitative propaganda. Support for students who may be seen as vulnerable to being drawn into terrorism can be found at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/425189/Channel\\_Duty\\_Guidance\\_April\\_2015.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/425189/Channel_Duty_Guidance_April_2015.pdf)

Schools should be safe spaces in which children and young people can understand and discuss sensitive topics, including terrorism and the extremist ideas that are part of terrorist ideology, and learn how to challenge these ideas. The Prevent Duty is not intended to limit discussion of these issues. We are mindful of our existing duties to forbid political indoctrination and secure a balanced presentation of political issues. (See document The Prevent Duty)

## **Fabricated or Induced Illnesses**

Staff at The Children's Garden are alert to the issues surrounding fabricated or induced illnesses.

Fabricated or induced illness is a condition whereby a child has suffered, or is likely to suffer, significant harm through the deliberate action of their parent and which is attributed by the parent to another cause. There are three main ways of the parent fabricating (making up or lying about) or inducing illness in a child:

- fabrication of signs and symptoms, including fabrication of past medical history
- fabrication of signs and symptoms and falsification of hospital charts, records, letters and documents and specimens of bodily fluid
- induction of illness by a variety of means

The above three methods are not mutually exclusive. Existing diagnosed illness in a child does not exclude the possibility of induced illnesses. The very presence of an illness can act as a stimulus to the abnormal behaviour and also provide the parent with opportunities for inducing symptoms.

Fabricated or induced illness is most commonly identified in younger children. Although some of these children die, there are many that do not die as a result of having their illness fabricated or induced, but who suffer significant long term physical or psychological health consequences.

Fabrication of illness may not necessarily result in a child experiencing physical harm, but there may be concerns about the child suffering emotional harm. They may suffer emotional harm as a result of an abnormal relationship with their parent and/or disturbed family relationships.

Staff will record and report any concerns about a child who might be experiencing Fabricated or induced illness to the Designated Safeguarding Lead as with any other safeguarding concern. The DSL will consider the need to make a referral or consult with the Single Point of Access as with any other child protection concern.

## **Children Missing From Education (CME)**

We recognise that full attendance at school is important to the wellbeing of all our pupils and enables them to access the opportunities made available to them at school. Attendance is monitored closely and we work in partnership with AfC when patterns of absence give rise to concern.

A child going missing from education is a potential indicator of abuse and neglect, including sexual abuse and sexual exploitation. We will ensure, where possible, that we have more than one emergency contact number for each pupil. This will give the school additional options to make contact with a responsible adult when a child missing education is also identified as a welfare and/or safeguarding concern.

Our attendance policy is set out in a separate document and is reviewed regularly. The kindergarten operates in accordance with statutory guidance 'Children Missing Education' (DfE 2016) [Children Missing Education Statutory Guidance](#).

## PROCEDURES

### **What to do if you suspect abuse, radicalisation or other Safeguarding issue**

**Any child in any family in any school could become a victim of abuse. Staff should always maintain an attitude of 'It could happen here'.**

Key points for staff to remember when taking action are:

- in an emergency take the action necessary to help the child, for example, call 999
- report your concern to the DSL as quickly as possible – immediately when there is evidence of physical or sexual abuse and certainly by the end of the day.
- do not start your own investigation
- share information on a need-to-know basis only – do not discuss the issue with colleagues, friends or family
- complete a record of concern (see Appendix 1) and seek support for yourself if you are distressed or need to debrief

Any member of staff with an issue or concern relating to safeguarding should immediately discuss it with the designated safeguarding leads. Allegations of abuse must be given the highest priority and referred immediately. It should be made clear to children that confidentiality cannot be guaranteed in respect of child protection issues.

Consider what you know, what you have seen, and things about the child that causes concern.

Listen to the child if she/he tells you of abuse. Reassure the child that they did the right thing to tell you. Never promise to keep something a secret. Let the child know you will be telling the designated safeguarding person as you all have a responsibility to keep the child safe. Don't probe or interrogate the child. Write down what the child told you using the child's own words.

Discuss your concerns urgently with the designated safeguarding lead (DSL): Régine Charrière

The designated person will discuss and review the concerns and advise on what actions to take next, including whether a referral is necessary.

The kindergarten will normally seek to discuss any concerns about a pupil with their parents. This must be handled sensitively and the DSL will make contact with the parent in the event of a concern, suspicion or disclosure.

However, if the kindergarten believes that notifying parents could increase the risk to the child or exacerbate the problem, advice will first be sought from the Single Point of Access.

Keep a written record of all concerns, any discussions with the child and parents, discussions with Ofsted and social services, and any decisions made.

(For disclosure form, see Appendix 1 )

## Reporting concerns about children

The designated safeguarding lead will decide on an appropriate course of action. Advice in the first instance will be taken from:

- Richmond SPA (Single Point of Action) 020 8547 5008 (Mon-Fri, 8am – 6pm)
- In an emergency, if you think a child is in immediate danger, you should call 999
- If you need to speak to someone urgently outside of office hours, call the Duty Social Worker on 020 8770 5000

## What if you feel the designated person has not acted on your concerns

If you feel your concerns have not been acted upon, it may be due to several reasons including:

- The designated person may have reasonably decided that the concerns are not yet significant and taken an alternative action.
- Information and/or actions may not have been communicated to you.
- Child protection agencies (e.g. social workers, the police) may be in the process of investigating the concern and have yet to decide on actions to safeguard the child.
- There may be confidentiality reasons.
- There may be legal reasons.

If there are no reasonable reasons /circumstances why your concerns have not been acted upon, you should seek further advice from:

- In an emergency, if you think a child is in immediate danger, you should call 999
- Richmond SPA (Single Point of Action) 020 8547 5008 (Mon-Fri, 8am – 6pm)
- If you need to speak to someone urgently outside of office hours, call the Duty Social Worker on 020 8770 5000
- Ofsted 0300 123 1231 (Mon-Fri, 8am – 6pm) [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)
- Ofsted Whistleblowing Hotline 0300 123 3155 (Mon-Fri, 8am - 6pm)  
whistleblowing@ofsted.gov.uk

## Listening to children

Children communicate in many ways, not just verbally, including through their behaviour, actions, reactions and drawings. We recognise that high self-esteem, confidence, supportive friends and good lines of communication with a trusted adult helps prevention. Our kindergarten will therefore:

- Provide a secure environment in which children can feel safe and able to speak about any concerns they may have.
- Ensure children know that there are trusted adults in the kindergarten whom they can approach if they are worried or in difficulty.

## **Working with Parents**

We work closely with parents in our kindergarten to ensure that they are aware of our role and responsibilities in relation to child protection. The following arrangements are in place:

1. This policy is on our website and a printed copy is available in the kindergarten.
2. We have a Child Protection statement in our Parents Handbook. The handbook is updated annually and sent to all parents; this refers to our full policy and how to find it.
3. Our notice board - designated persons are identified within the school (staff photos are on the wall as well) plus contact details for Achieving for Children's Single Point of Access (SPA) and Ofsted.
4. Our parent's complaints procedure is available in our annually updated Parents Handbook.

## **Diversity**

Parenting and child rearing styles can vary according to class, age, race, ethnicity, culture and/or religion. All parents have the right to raise their children according to their family traditions and we need to be aware of passing judgement on or discriminating on the basis of difference. However, all children have the right to protection and no parent has the right to abuse their children regardless of their background or circumstance.

We have regard to Richmond and Kingston Policy and Practice Guidance on Domestic Violence, Child Prostitution and Female Genital Mutilation and we will refer to Achieving for Children's Single Point of Access (SPA) for guidance and action.

## **Information Sharing**

Information sharing is essential for effective safeguarding and promoting the welfare of children and young people. It is a key factor identified in many serious case reviews (SCRs), where poor information sharing has resulted in missed opportunities to take action that keeps children and young people safe. Our school takes advice from the new Information Sharing guidance (July 2018) which reflects the General Data Protection Regulation (GDPR) and Data Protection Act 2018. It is important to note that the GDPR and Data Protection Act 2018 do not prevent, or limit, the sharing of information for the purposes of keeping children and young people safe.

## **Confidentiality**

The Children's Garden recognises that in order to effectively meet a child's needs, safeguard their welfare and protect them from harm the kindergarten must contribute to inter-agency working in line with Working Together to Safeguard Children (2018) and share information between professionals and agencies where there are concerns.

All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children and that the Data Protection Act 1998 is not a barrier to sharing information where the failure to do so would place a child at risk of harm.

All staff must be aware that they cannot promise a child to keep secrets, which might compromise the child's safety or wellbeing. It is important that staff and volunteers tell the child in a manner appropriate to the child's age and development that they cannot promise complete confidentiality and that they may need to pass information on to other professionals to help to keep the pupil or other children safe.

However, we also recognise that all matters relating to child protection are personal to children and families. Therefore, in this respect they are confidential and the headteacher or DSLs will only disclose information about a child to other members of staff on a need to know basis.

We will always undertake to share our intention to refer a child to SPA with their parents and carers unless to do so could put the pupil at greater risk of harm, or impede a criminal investigation. If in doubt, we will consult with SPA on this point.

## **Recording and Record Keeping**

Children's safeguarding and child protection records will be stored securely and access to them will be appropriately limited.

When pupils leave The Children's Garden, we will ensure that their child protection file is transferred to the new school or college as soon as possible. This will be transferred separately from their main file, ensuring secure transit and a confirmation of receipt will be requested and retained. Where appropriate, the DSL will share information in advance of the pupil transferring so support can be put in place.

We keep written records of:

- Discussions with child
- Discussion with parents
- Discussion with other designated safeguarding lead person
- Information provided to Children's Specialist Services
- Decisions taken with time and date clearly signed
- Copy of written referral confirming the verbal and telephone referral.

## **Good Recording practice**

Written records may be needed by social workers, other professionals, the police or court at some future date. Parents may also have the right to access your written records. Be concise, objective and factual:

- What did you observe/hear? When and where?
- Exactly what caused your concern and why?
- What did the child say, in their words, or do (if anything)?
- What did the parents say, in their words, if anything?
- How did you reply/respond?
- Describe events/actions/discussions as they happened.
- Avoid judgements and interpretations.

## **Safe Recruitment and Selection**

We practice safe recruitment, selection and monitoring and check that teachers are not prohibited from teaching. Our selection and vetting procedures include checks into the eligibility and the suitability of all trustees, staff and volunteers who have direct or indirect contact with children through the Disclosure and Barring Service (DBS), with particular regard to those who have lived or worked outside the U.K. See our separate Safe Recruitment policy.

## **Allegations Against Staff**

Child protection procedures are applied when there is an allegation or concern that any adult who works with children has:

- Behaved in a way that has harmed or may have harmed a child;
- Possibly committed a criminal offence against or related to a child;
- Behaved towards a child in a way that indicates they are unsuitable to work with children.

Inappropriate relationships between staff, children or young people include:

- Having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual (Sexual Offences Act 2003)
- 'Grooming', i.e. meeting a child under 16 with intent to commit a relevant offence (see section 15 Sexual Offences Act 2003)
- Other 'grooming' behaviour giving rise to concerns of a broader child protection nature (e.g. inappropriate text / e-mail messages or images, gifts, socialising etc)
- Possession of indecent photographs of children.

Adults in this context include paid employees, volunteers, trainees, and self-employed workers. Any teacher who hears an allegation of abuse against another member of staff or volunteer should bring this to the attention of the designated safeguarding lead so that Richmond and Kingston Child Protection procedures can be followed.

If the allegation is about one of the designated safeguarding lead persons, speak to one of the other designated safeguarding leads. Statutory guidance dealing with allegations against professionals is now provided in Part 4 of 'Keeping children safe in education' (DfE, September 2018).

Concerns about members of staff should be addressed to the LADO (Local Authority Designated Officer).

## **Appendices**

1. Concern reporting form
2. Body map
3. Roles and responsibilities of designated person
4. Working with parents
5. Working with diversity, including abuse of disabled children
6. Allegations of abuse against staff
7. Child Abuse – An overview



Actions taken			
Date	Person taking action	Action	Signature

If the parent or carer has **NOT** been informed, please state the reason for this decision:

Signature:

Date:

Appropriate feedback must be given to the person completing the Record of Concern Form

Feedback given to:

Feedback given by:

Signature:

Date:

It may be useful to record the category of the concern for monitoring purposes and to identify any areas for training, education etc. Delete/add categories as appropriate

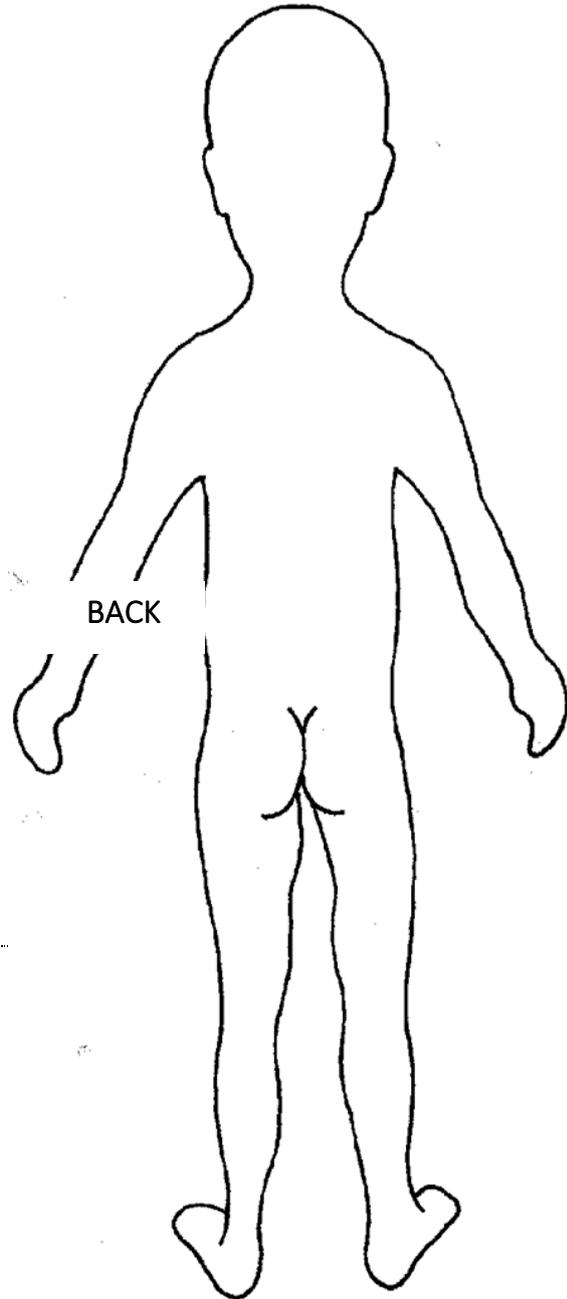
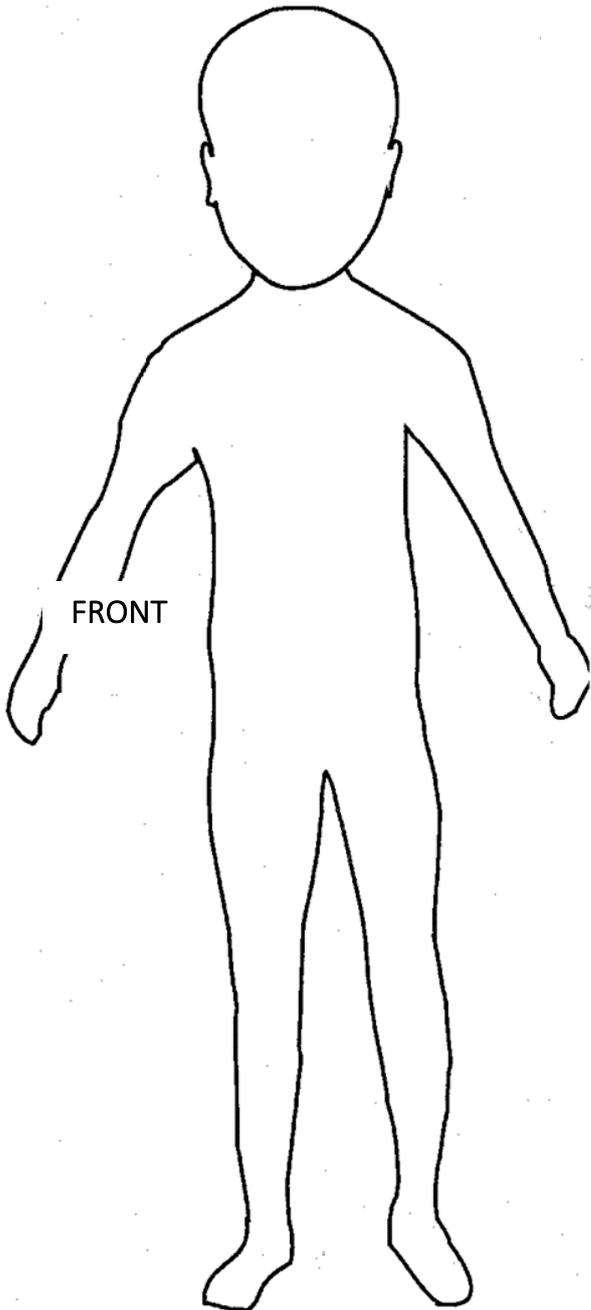
Physical	
Emotional	
Sexual Abuse	
Neglect	
CME	
FGM	

CSE	
Radicalisation	
Peer on Peer Abuse	
Online	
Sexting	
Mental Health	

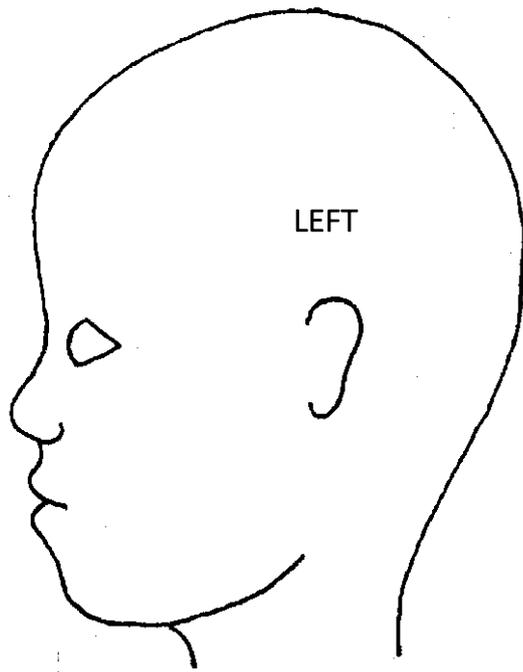
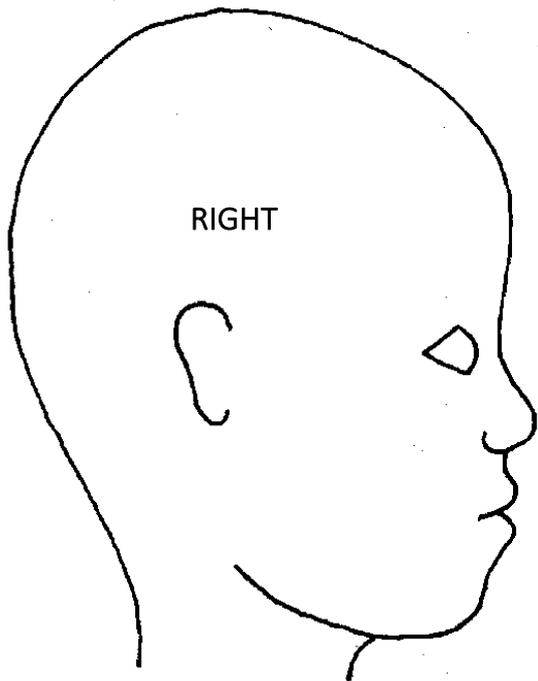
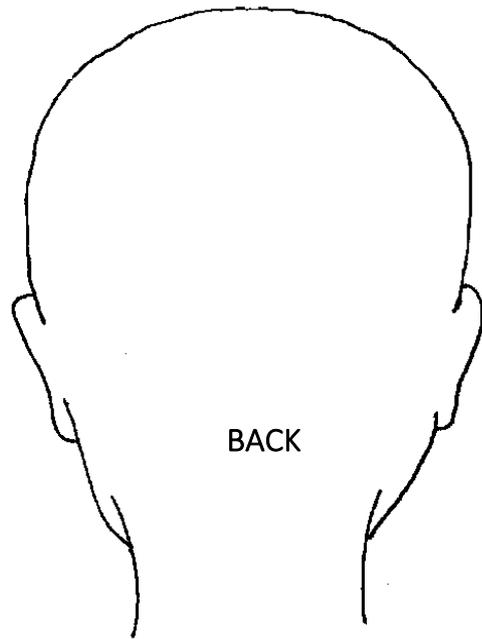
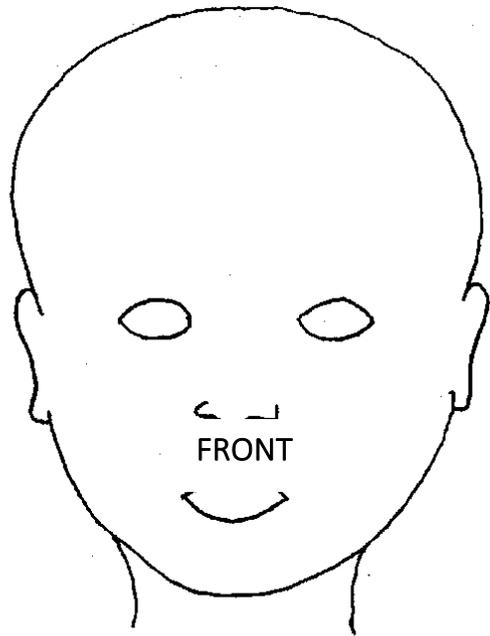
### Body map

(This must be completed at time of observation)

Name of Pupil:		Date of Birth:	
Name of Staff:		Date and time of observation:	



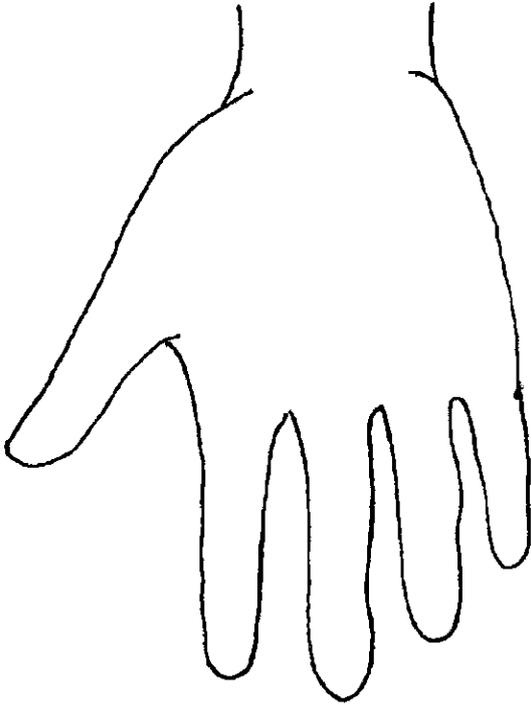
Name of Pupil:		Date of Birth:	
Name of Staff:		Date and time of observation:	



Signature: \_\_\_\_\_ Date: \_\_\_\_\_

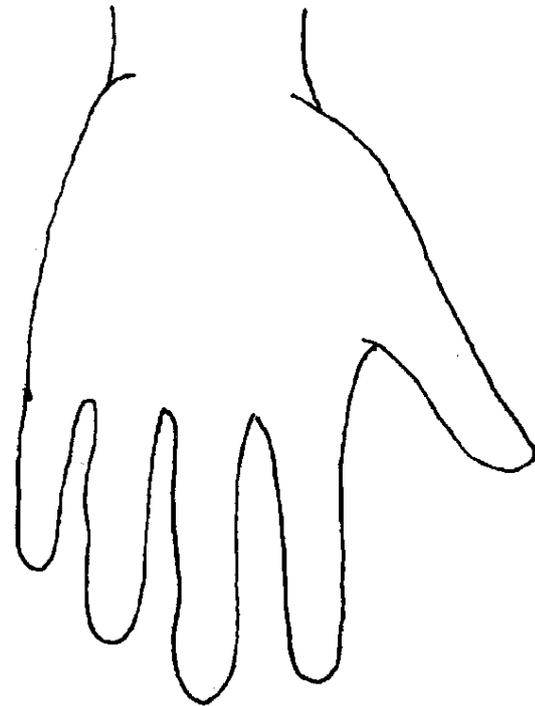
Name of Pupil:		Date of Birth:	
Name of Staff:		Date and time of observation:	

**RIGHT**



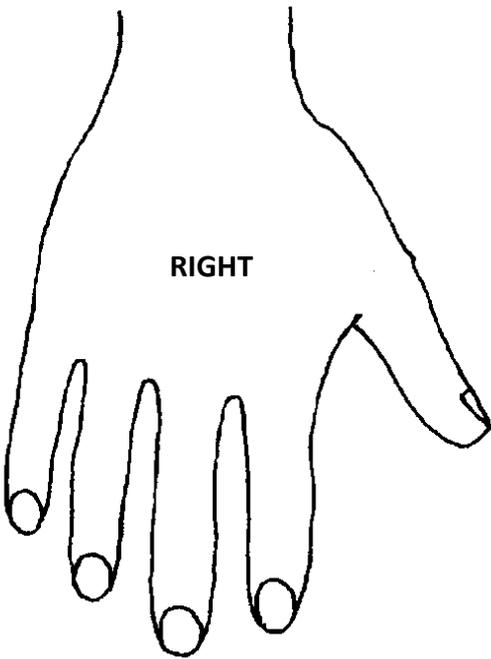
**LEFT**

**PALM**

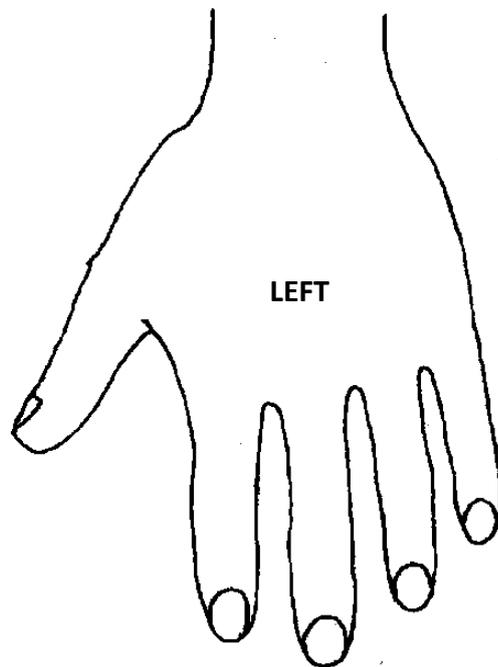


**BACK**

**RIGHT**



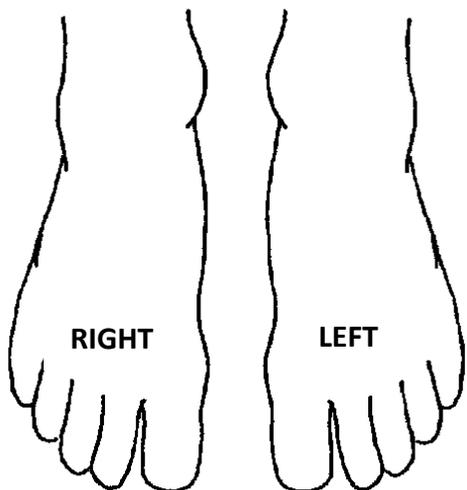
**LEFT**



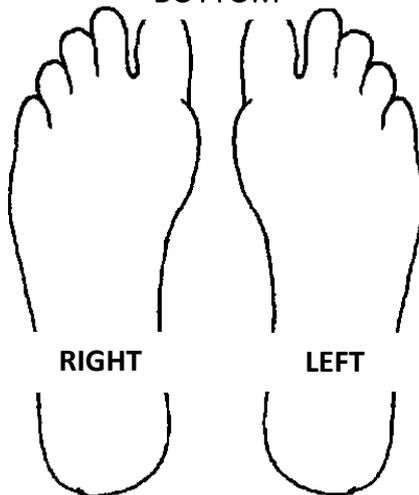
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Pupil:		Date of Birth:	
Name of Staff:		Date and time of observation:	

TOP



BOTTOM

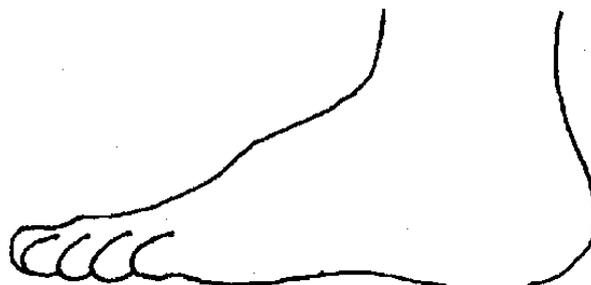


INNER

LEFT

RIGHT

OUTER



Signature:	Date
	:

### **Roles and Responsibilities of designated safeguarding lead**

- Recognise how to identify signs of abuse.
- Recognise when it is appropriate to make a referral.
- Refer and follow up child protection referrals.
- Monitor child protection decisions within the school.
- Monitor child protection practice.
- Ensure there is always a designated member of staff for safeguarding available at all times that the kindergarten is open for staff to discuss concerns.
- Have knowledge of and experience in implementing child protection procedures.
- Ensure all staff know who the designated safeguarding leads for child protection are.
- Ensure all staff have access to our kindergarten's Safeguarding policy and procedure.
- Ensure all staff have access to 'Keeping Children Safe in Education (2018) (paper/electronic)
- Ensure all staff are aware of and adhere to the Staff Code of Conduct (updated annually).
- Ensure all staff are aware of and have access to the Education package of Educare on-line training to which the kindergarten subscribes
- Basic induction for all new staff on arrival, including Staff Handbook, Code of Conduct.
- Ensure all staff are given a copy of and understand the written procedures for managing allegations of harm to a child or learner.
- Ensure all staff know how to make a complaint and understand policies on whistleblowing.
- Ensure all staff understand their mandatory duty to report known cases of female genital mutilation.
- Ensure all staff know what to do if they have concerns about the practice of other adults in respect to the safety and protection of children and learners.
- Ensure the designated leads have safeguarding training every two years and their knowledge and skills are refreshed at least annually.
- When appropriate invite external trainer for in-house for all faculty members.
- Ensure the named trustee for safeguarding undertakes training every two years
- Raise awareness and confidence on child protection procedures for all staff.
- Regularly review policies and procedures and at least annually.
- Provide support and advice when necessary.
- Ensure appropriate recording systems are in place and monitor record keeping.
- Liaise with external agencies.
- Attend meetings, child protection conferences, core groups etc.
- Regularly update trustees with responsibility for Safeguarding

Holding responsibility for safeguarding and child protection matters can be difficult and stressful so ensure you have the support of the Management Team and that they understand and support the nature and extent of your designated person role. The designated Trustee for Safeguarding can provide support and monitoring in this area.

Ensure you have access to your own support but do not let feelings or anxieties prevent you and/or your staff team from taking necessary action to protect children. Because we are a small kindergarten, the designated safeguarding leads may also ask advice from the Steiner Waldorf Schools Fellowship, however this will be in addition to advice and support from Richmond and Kingston. As designated teachers we have a duty of care towards staff making referrals about children's situations as well as staff who have allegations made against them.

## Working with Parents

We see working with parents on a regular, on-going basis as one of the most important aspects of our work. We work at building strong relations with the parents of our children. Children may be with the same kindergarten teacher for three years. During these years, an open, honest and frank relationship is striven for, through regular parents evenings, one-to-one talks both at kindergarten and during home visits, social events and informal drop-off / pick-up conversations in the playground.

Explanations are sought for injuries that happened outside kindergarten by the teachers.

When the kindergarten decides not to seek parental permission before making a referral, the decision must be recorded in the child's file with reasons, dated and signed, and confirmed in the referral to Children's Specialist Services.

When the kindergarten makes a referral without parental permission, the parents should be contacted to inform them that after considering their wishes, a referral has been made.

We must ensure that any concerns remain confidential and information and details are shared only with professionals directly concerned with the child.

## Working with diversity

Working in a multi-racial and multi-cultural society requires professionals to be committed to equality in meeting the needs of all children and families and to understand the effects of racism as well as cultural and religious misunderstanding or misinterpretation.

- In order to make sensitive and informed professional judgements about a child's needs, and parents' capacity to respond to their child's needs, it is important that professionals are sensitive to the differing family patterns and lifestyles and to child rearing patterns that vary across different racial, ethnic and cultural groups.
- At the same time, children from all cultures are subject to abuse and neglect. All children have a right to grow up safe from harm. All children, whatever their religious or cultural background, must receive the same care and safeguards with regard to abuse and neglect.
- Anxiety about being accused of racist (or other similar term) practice should not prevent the necessary action being taken to safeguard and promote a child's welfare. Definitions as to what legally constitutes child abuse are indicated in this policy. Race, cultural and religious factors should not be regarded as acceptable explanations for child abuse or neglect, and are not acceptable grounds for inaction when a child is at risk of significant harm.

## Abuse of Disabled Children

UK evidence suggests that disabled children are at increased risk of abuse and that the presence of multi-disabilities appears to increase the risk of both abuse and neglect. Disabled children may be especially vulnerable to abuse for a number of reasons:

- They may receive intimate personal care, possibly from a number of carers that may both increase the risk of exposure to abusive behaviour and make it more difficult to set and maintain physical boundaries.
- They may have an impaired capacity to resist or avoid abuse.
- They may have communication difficulties that may make it difficult to tell others what is happening.

## Allegations of Abuse against Staff

We have regard to the statutory guidance from the Keeping Children Safe in Education, September 2018 Section 4. All allegations or suspicions against staff, whether permanent, temporary, or volunteers, should be taken seriously and considered as requiring a child protection response/ enquiry. All allegations against a member of staff must be reported to the LADO.

- If the allegation is against the designated safeguarding lead, designated trustee for safeguarding will inform the LADO.
- Children's Specialist Services will inform Ofsted of any child protection referrals in respect of any staff in their personal life.

An allegation may require consideration from any of the following four inter-related perspectives:

- Child protection
- Criminal investigation
- Complaint procedures
- Staff disciplinary procedures

Information about an allegation must be restricted to those who have a need to know in order to:

- Protect children
- Manage disciplinary / complaints aspects
- Facilitate enquiries
- Protect any rights of the alleged perpetrator

We have a dual responsibility – to safeguard the children in our care and to ensure staff are treated fairly.

- If a staff member is faced with an allegation against them, they may benefit from the independent advice of a solicitor.
- If an allegation is made, the staff member should not have any contact with children or their records until the matter has been dealt with.
- Suspension is a neutral act and it should not be automatic. It should be considered in any case where:
  - there is cause to suspect a child is at risk of significant harm, or
  - the allegation warrants investigation by the police, or
  - the allegation is so serious that it might be grounds for dismissal.

Once the referral is made to the LADO, they will consider the nature, content and context of the allegation and agree a course of action. The LADO may ask the designated safeguarding lead to provide or obtain relevant additional information, such as previous history, whether the child or their family have made similar allegations and the individual's current contact with children. The designated safeguarding lead may need to involve the police.

The available information will be considered and it will be decided whether an investigation is indicated, who will be involved and arrangements for interviewing:

- The child
- Any witnesses
- Parent/guardian/carer
- The accused staff member
- The person who made the allegation

The final decision regarding the person's continued employment will be informed by the outcome of the child protection investigation and/ or criminal investigation.

It is not advisable to accept a person's resignation as an alternative to dismissal.

Even if the police decide there is not enough evidence to bring criminal charges, the kindergarten will decide whether to proceed with a disciplinary hearing on the basis of prima facie evidence under our disciplinary code.

Even when there is insufficient evidence to support a criminal investigation, Ofsted may pursue the matter under disciplinary, regulatory or complaints procedures and /or bring civil or criminal proceedings against the kindergarten.

For further advice and support on how to manage an allegation against a staff member, please contact: the Local Authority Designated Officer (LADO)

#### Unsubstantiated and False Allegations

- False allegations are rare and may be an indicator of abuse elsewhere which requires further exploration. If an allegation is demonstrably false, the school will, in consultation with Richmond and Kingston Child Protection Advisor and Ofsted, refer the matter to Children's Specialist Services to determine whether the child is in need of services, or might have been abused by someone else.
- Where it is concluded that there is insufficient evidence to substantiate an allegation, the designated safeguarding lead will consider what further action to take, if any.
- Ofsted may also take further actions, as above.
- If it is established that an allegation has been deliberately invented, the police will be asked to consider what action may be appropriate.

## Child Abuse: An Overview

What is child abuse and neglect?

Child abuse and neglect are forms of maltreatment of children including serious physical and sexual assaults, as well as cases where the standard of care does not adequately support the child's health or development. Children can be abused through the infliction of harm, or through failure to act to prevent harm.

Some of the following signs might be indicators of abuse or neglect:

- Children whose behaviour changes – they may become aggressive, challenging, disruptive, withdrawn or clingy, or they might have difficulty sleeping or start wetting the bed;
- Children with clothes, which are ill fitting and/or dirty;
- Children with consistently poor hygiene;
- Children who make strong efforts to avoid specific family members or friends, without an obvious reason;
- Children who don't want to change clothes in front of others or participate in physical activities;
- Children who are having problems at kindergarten, for example, a sudden lack of concentration and learning or they appear to be tired and hungry;
- Children who talk about being left home alone, with inappropriate carers or with strangers;
- Children who reach developmental milestones, such as learning to speak or walk, late, with no medical reason;
- Children who are regularly missing from school or education;
- Children who are reluctant to go home after school;
- Children with poor school attendance and punctuality, or who are consistently late being picked up;
- Parents who are dismissive and non-responsive to practitioners' concerns;
- Parents who collect their children from school when drunk, or under the influence of drugs;
- Children who drink alcohol regularly from an early age;
- Children who are concerned for younger siblings without explaining why;
- Children who talk about running away; and
- Children who shy away from being touched or flinch at sudden movements.

Abuse and neglect can affect children of any age, class or family background. Children may be abused within their family, in a setting, in an institution or in the community. Children are abused by people known to them, or more rarely, by a stranger. Children can be abused by an adult or adults or another child or children. Children may show signs of being abused in different ways – physically, emotionally, behaviourally, or they may tell you directly.

All staff should be familiar with the definitions and possible indicators of abuse. Whilst some indicators may not ultimately constitute child abuse, all staff have a responsibility to report and discuss any concerns they have about a child with their designated safeguarding and child protection officer.

There are four main categories of abuse and neglect: physical abuse, emotional abuse, sexual abuse and neglect. Each has its own specific warning indicators, which you should be alert to.

“What to do when you’re worried a child is being abused” (March 2015) sets out the following descriptions.

### **Physical abuse**

Physical abuse is deliberately physically hurting a child. It might take a variety of different forms, including hitting, pinching, shaking, throwing, poisoning, burning or scalding, drowning or suffocating a child.

Physical abuse can happen in any family, but children may be more at risk if their parents have problems with drugs, alcohol and mental health or if they live in a home where domestic abuse happens.

Babies and disabled children also have a higher risk of suffering physical abuse. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Physical abuse can also occur outside of the family environment.

Some of the following signs may be indicators of physical abuse:

- Children with frequent injuries;
- Children with unexplained or unusual fractures or broken bones; and
- Children with unexplained:
  - bruises or cuts;
  - burns or scalds; or
  - bite marks.

### **Emotional abuse**

Emotional abuse is the persistent emotional maltreatment of a child. It is also sometimes called psychological abuse and it can have severe and persistent adverse effects on a child’s emotional development. Although the effects of emotional abuse might take a long time to be recognisable, practitioners will be in a position to observe it, for example, in the way that a parent interacts with their child.

Emotional abuse may involve deliberately telling a child that they are worthless, or unloved and inadequate. It may include not giving a child opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate.

Emotional abuse may involve serious bullying – including online bullying through social networks, online games or mobile phones – by a child’s peers.

Some of the following signs may be indicators of emotional abuse:

- Children who are excessively withdrawn, fearful, or anxious about doing something wrong;
- Parents or carers who withdraw their attention from their child, giving the child the ‘cold shoulder’;
- Parents or carers blaming their problems on their child; and
- Parents or carers who humiliate their child, for example, by name-calling or making negative comparisons.

## **Sexual abuse and exploitation**

Sexual abuse is any sexual activity with a child. You should be aware that many children and young people who are victims of sexual abuse do not recognise themselves as such. A child may not understand what is happening and may not even understand that it is wrong. Sexual abuse can have a long-term impact on mental health.

Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet).

Sexual abuse is not solely perpetrated by adult males. Women can commit acts of sexual abuse, as can other children.

Some of the following signs may be indicators of sexual abuse:

- Children who display knowledge or interest in sexual acts inappropriate to their age;
- Children who use sexual language or have sexual knowledge that you wouldn't expect them to have;
- Children who ask others to behave sexually or play sexual games; and
- Children with physical sexual health problems, including soreness in the genital and anal areas, sexually transmitted infections or underage pregnancy.

Child sexual exploitation is a form of sexual abuse where children are sexually exploited for money, power or status. It can involve violent, humiliating and degrading sexual assaults. In some cases, young people are persuaded or forced into exchanging sexual activity for money, drugs, gifts, affection or status. Consent cannot be given, even where a child may believe they are voluntarily engaging in sexual activity with the person who is exploiting them. Child sexual exploitation doesn't always involve physical contact and can happen online. A significant number of children who are victims of sexual exploitation go missing from home, care and education at some point.

Some of the following signs may be indicators of sexual exploitation:

- Children who appear with unexplained gifts or new possessions;
- Children who associate with other young people involved in exploitation;
- Children who have older boyfriends or girlfriends;
- Children who suffer from sexually transmitted infections or become pregnant;
- Children who suffer from changes in emotional well-being;
- Children who misuse drugs and alcohol;
- Children who go missing for periods of time or regularly come home late; and
- Children who regularly miss school or education or don't take part in education.

## **Neglect**

Neglect is a pattern of failing to provide for a child's basic needs, whether it be adequate food, clothing, hygiene, supervision or shelter. It is likely to result in the serious impairment of a child's health or development. Children who are neglected often also suffer from other types of abuse. It is important that practitioners remain alert and do not miss opportunities to take timely action.

However, while you may be concerned about a child, neglect is not always straightforward to identify.

Neglect may occur if a parent becomes physically or mentally unable to care for a child. A parent may also have an addiction to alcohol or drugs, which could impair their ability to keep a child safe or result in them prioritising buying drugs, or alcohol, over food, clothing or warmth for the child. Neglect may occur during pregnancy as a result of maternal drug or alcohol abuse.

Some of the following signs may be indicators of neglect:

- Children who are living in a home that is indisputably dirty or unsafe;
- Children who are left hungry or dirty;
- Children who are left without adequate clothing, e.g. not having a winter coat;
- Children who are living in dangerous conditions, i.e. around drugs, alcohol or violence;
- Children who are often angry, aggressive or self-harm;
- Children who fail to receive basic health care; and
- Parents who fail to seek medical treatment when their children are ill or are injured.

All kindergarten policies referred to are on our website and in the policies folder in the office.

This policy forms part of the school's suite of Safeguarding policies and procedures, which include:

- The Staff Code of Conduct
- Health & Safety Policy & Procedures
- Child Protection Policy & Procedures
- Safer Staff Recruitment Policy & Procedures
- The Prevent Duty
- Holding and Physical Restraint policies
- Anti-bullying Policy & Procedure
- Human Values Statement
- Staff whistleblowing policy
- Electronic Media Acceptable Use at School
- Online Safety Education policy
- Electronic Media and Online Safety Guidance • Out-of-hours babysitting policy
- Lost Child/Pupil Procedures
- Equality & Diversity Policy

Updated September 2019

Reviewed September 2020

Reviewed August 2021

To be reviewed August 2022